

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ISRAEL GARZA,
Plaintiff,

Case No. 1:11-cv-541
Dlott, J.
Litkovitz, M.J.

vs.

DENNIS ADAMS, et al.,
Defendants.

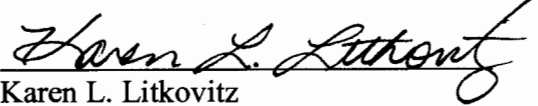
**REPORT AND
RECOMMENDATION**

This matter is before the Court on plaintiff Israel Garza's motion to strike the Court's Order dated July 16, 2012, dismissing this case. (Doc. 41). Plaintiff, proceeding pro se, filed the original complaint in this action on August 10, 2011. (Doc. 1). Defendant Joshua Matthews filed a motion to dismiss the complaint against him on February 14, 2012. (Doc. 29). The Court granted the motion by Order dated July 16, 2012, and dismissed the case in its entirety. (Doc. 39). Plaintiff filed his motion to strike the Court's Order on July 20, 2012. Plaintiff's motion consists of incoherent ramblings and does not set forth a valid reason for the Court to vacate its Order.

IT IS THEREFORE RECOMMENDED THAT:

Plaintiff's motion to strike the Court's July 16, 2012 Order dismissing the case (Doc. 41) be DENIED.

Date: 1/24/13


Karen L. Litkovitz
United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

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